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PETITION FOR EXTENSION OF TIME UNDER 37 CFR 1.136(a)
FY 2005Docket Number (Optional)
32344-701.201

(Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).))

Application Number: 10/694,149

Filed: October 27, 2003

For: Intestinal Bypass Device To Treat Obesity

Art Unit: 3738

Examiner: William H. Matthews

This is a request under the provisions of 37 CFR 1.136(a) to extend the period for filing a reply in the above identified application.

The requested extension and fee are as follows (check time period desired and enter the appropriate fee below):

	Fee	Small Entity Fee	
<input type="checkbox"/> One Month (37 CFR 1.17(a)(1))	\$120	\$60	\$_____
<input type="checkbox"/> Two Month (37 CFR 1.17(a)(2))	\$450	\$225	\$_____
<input checked="" type="checkbox"/> Third Month (37 CFR 1.17(a)(3))	\$1020	\$510	<u>\$450.00</u>
NOTE: A One month extension of time was submitted to the USPTO on March 15, 2005, hence we are submitting a Third Month Extension Of Time.			
<input type="checkbox"/> Four Month (37 CFR 1.17(a)(4))	\$1590	\$795	\$_____
<input type="checkbox"/> Five Month (37 CFR 1.17(a)(5))	\$2160	\$1080	\$_____

- Applicant claims small entity status. See 37 CFR 1.27.
- A check in the amount of the fee is enclosed.
- Payment by credit card. Form PTO-2038 is attached.
- The Director has already been authorized to charge fees in this application to a Deposit Account.
- The director is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account Number 23-2415. I have enclosed a duplicate copy of this sheet.

**WARNING: Information on this form may become public. Credit card information should not be included on this form.
Provide credit card information and authorization on PTO-2038.**

I am the applicant/inventor.

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- assignee of record of the entire interest. See 37 CFR 3.71.
Statement under 37 CFR 3.73(b) is enclosed (Form PTO/SB/96).
- Attorney or agent of record. Registration Number 32,062
- attorney or agent under 37 CFR 1.34.
Registration number if acting under 37 CFR 1.34 _____


Signature

June 15, 2005

Date

James R. Shay

Typed or printed name

(650) 493-9300

Telephone Number

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below.

- Total of 1 forms are submitted.

This collection of information is required by 37 CFR 1.136(a). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 6 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer,